

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the)	NOTICE OF PUBLIC HEARING
proposed amendment of ARM)	ON PROPOSED AMENDMENT
10.55.701, 10.55.801 and)	
10.55.1003 relating to)	
accreditation standards)	

TO: All Concerned Persons

1. On January 23, 2006 at 9:00 a.m. a public hearing will be held in the Office of the Commissioner of Higher Education conference room of the NY Building at 46 North Last Chance Gulch, Helena, Montana, to consider the amendment of the above-stated rules relating to accreditation standards.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Public Education no later than 5:00 p.m. on January 9, 2006 to advise us of the nature of the accommodation that you need. Please contact Steve Meloy, P.O. Box 200601, Helena, MT 59620-0601, telephone: (406) 444-6576, FAX: (406) 444-0847, e-mail: smeloy@bpe.montana.edu.

3. The rules proposed to be amended provide as follows, stricken matter interlined, new matter underlined:

10.55.701 BOARD OF TRUSTEES (1) through (3)(f) remain the same.

(g) a policy that is designed to prevent bullying, intimidation, and harassment of students and school personnel;

(g) through (n) remain the same but are renumbered (h) through (o).

(4) through (8) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.801 SCHOOL CLIMATE (1) through (1)(c) remain the same.

(d) develop policies, procedures, and rules that respect the rights of all learners, and promote an awareness of and concern for the well-being of others, and prevent bullying, intimidation, and harassment of students and school personnel;

(e) through (j) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, MCA

10.55.1003 PROGRAM FOUNDATION STANDARDS (1) through (1)(a)(ii) remain the same.

(iii) provide physically, emotionally, and educationally safe and supportive learning and working environments, including environments free from bullying, intimidation and harassment;

(iv) through (1)(c)(vi) remain the same.

AUTH: 20-2-114, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

4. Statement of Reasonable Necessity: The Board of Public Education has determined that it is reasonable and necessary to amend these rules because language requiring school districts to adopt a policy on bullying, intimidation, and harassment does not currently exist in the Montana Accreditation Standards. The Board of Public Education has concluded a lengthy public input process in regard to this subject matter as a result of debate and discussion surrounding SB 198 introduced in the 2005 legislative session. The Board of Public Education assured the legislature that it would review this issue and act accordingly.

5. Concerned persons may present their data, views or arguments, either orally or in writing, at the hearing. Written data, views or arguments may also be submitted by mail to the Board of Public Education, P.O. Box 200601, Helena, Montana 59620-0601, or by e-mail to smeloy@bpe.montana.edu and must be received no later than 5:00 p.m. on January 23, 2006.

6. Steve Meloy has been designated to preside over and conduct the hearing.

7. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding accreditation standards or other school related rulemaking actions. Such written request may be mailed or delivered to Steve Meloy, P.O. Box 200601, Helena, Montana 59620-0601, faxed to the office at (406) 444-0847, by e-mail to smeloy@bpe.montana.edu, or may be made by

completing a request form at any rules hearing held by the Board of Public Education.

8. The bill sponsor requirements of 2-4-302, MCA, do not apply. The requirements of 20-1-501, MCA, have been fulfilled. Copies of these rules have been sent to all tribal governments in Montana.

/s/ Dr. Kirk Miller
Dr. Kirk Miller, Chairperson
Board of Public Education

/s/ Steve Meloy
Steve Meloy, Rule Reviewer
Board of Public Education

Certified to the Secretary of State December 12, 2005.